



Department of Pesticide Regulation



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MEMORANDUM

Gray Davis
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TO: Chuck Andrews, Branch Chief
Worker Health and Safety Branch [HSM assigned after original memo issuance] **HSM-00015**

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DATE: May 9, 2000

SUBJECT: REVISED WORK HOURS FOR METHYL BROMIDE SOIL REGULATIONS

In response to numerous comments received about the proposed work hour restrictions during the public comment period, we have reexamined our previous recommendation concerning this issue (January 7, 2000).

A number of comments requested separation of the "Driving" work hour restrictions from the "Shoveling and Copiloting" work hour restrictions. Evidently, the applicator equipment driver is the highest paid application employee and any additional work time for this person would be advantageous. Although this adds complexity to the table, we have data to support this request. In addition, the permit conditions listed specific job functions and allowable work hours. We agree this would allow these workers to work additional time per day. To help clarify the job function and separate it from the others, we have changed the description from "Driving" to "Application Equipment Driving" for all the methods other than the Drip System-Hot Gas method. To incorporate this separation in the regulations, we recommend revision of the proposed table in section 6782 as shown on the next page. Note the omission of the shoveling and copiloting categories from the Nontarpaulin/Shallow/Bed and the Nontarpaulin/Deep/Broadcast methods, since these nontarpaulin type methods do not require these job categories. Also note the change from "Tarpaulin Pulling" to "Tarpaulin Removal" which is suggested for clarity.

Another group of comments requested the proposed adjustment to work hours be extended to all application methods when the application rate is less than the maximum label rate. Our earlier recommendation only applied to those application methods where the maximum rate was 400 pounds per acre. Since we assume exposure to be directly related to application rate, it follows that a reduced rate would allow a longer work period. We have determined the work hours can also be adjusted for the other methods. Consequently, the revised formula for adjusting work hours would read:

Adjusted work hours = $\frac{\text{maximum application rate for method in 6450.3}}{\text{Actual application rate}} \times (\text{maximum work hours in 6784})$

The table on the next page incorporates all the above-suggested changes.



Section 6784 Table (Proposed Revision 5/09/2000).

<u>Fumigation Method/Activities</u>	<u>Maximum Work Hours in a 24-Hour Period</u>
<u>Nontarpaulin/Shallow/Bed</u> <u>Application equipment Driving</u>	<u>4*</u>
<u>Nontarpaulin/Deep/Broadcast</u> <u>Application equipment Driving</u>	<u>4*</u>
<u>Tarpaulin/Shallow/Broadcast</u> <u>Application Equipment Driving</u> <u>Shoveling and Copiloting</u> <u>Tarpaulin Cutting</u> <u>Tarpaulin Removal</u>	<u>4*</u> <u>3*</u> <u>4</u> <u>7</u>
<u>Tarpaulin/Shallow/Bed</u> <u>Application Equipment Driving</u> <u>Shoveling and Copiloting</u> <u>Tarpaulin Cutting</u> <u>Tarpaulin Removal</u>	<u>4*</u> <u>4*</u> <u>4</u> <u>7</u>
<u>Tarpaulin/Deep/Broadcast</u> <u>Application Equipment Driving</u> <u>Shoveling and Copiloting</u> <u>Tarpaulin Cutting</u> <u>Tarpaulin Removal</u>	<u>4*</u> <u>3*</u> <u>4</u> <u>7</u>
<u>Drip System – Hot Gas</u> <u>Applicators</u> <u>Tarpaulin Cutting</u> <u>Tarpaulin Removal</u>	<u>2*</u> <u>4</u> <u>7</u>

* Work hours may be adjusted if the application rate is less than the maximum rate specified in section 6450.3 for each method using the following formula:

$$\text{Adjusted work hours} = \frac{(\text{maximum application rate for method in 6450.3}) \times (\text{maximum work hours})}{\text{Actual application rate}}$$

cc: Richard Ames, OEHHHA